

1 ANDREA ISSOD (SBN 230920)  
2 MARTA DARBY (SBN 310690)  
3 Sierra Club Environmental Law Program  
4 2101 Webster Street, Suite 1300  
5 Oakland, CA 94612  
6 Telephone: (415) 977-5544  
7 Fax: (510) 208-3140  
8 andrea.issod@sierraclub.org  
9 marta.darby@sierraclub.org

10 *Attorneys for Plaintiff Sierra Club*

11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 OAKLAND DIVISION

14 )  
15 ) Case Number: 17-5273 KAW  
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SIERRA CLUB,  
Plaintiff,

v.

U.S. DEPARTMENT OF  
HOMELAND SECURITY and U.S.  
CUSTOMS AND BORDER  
PROTECTION,

Defendants.

**STIPULATION AND PROPOSED  
ORDER GRANTING PLAINTIFF  
LEAVE TO FILE FIRST  
AMENDED COMPLAINT**

Plaintiff Sierra Club and Defendants U.S. Department of Homeland Security  
and U.S. Customs and Border Protection hereby stipulate to the filing of a First

1 Amended Complaint attached to this Stipulation as Attachment A. This First  
2 Amended Complaint corrects the submission date of FOIA request number CBP-  
3 2013-016845 and adds additional information about FOIA request number CBP-  
4 2017-054695. Under Federal Rule of Civil Procedure 15(a)(2), a party may amend  
5 its pleading with the written consent of the opposing parties.

6 By signing this stipulation, the counsel of each party listed below concur in  
7 the filing of the First Amended Complaint. By signing this stipulation, Defendants  
8 waive no claim or defense. Defendants shall have thirty days to respond to the  
9 First Amended Complaint after it is deemed filed. This stipulation is being filed  
10 through the Electronic Case Filing (ECF) system by Marta Darby of the Sierra  
11 Club Environmental Law Program. By her signature, she attests that Plaintiff  
12 Sierra Club has obtained concurrence in the filing of this document from each  
13 counsel signing the stipulation, as required under Civil Local Rule 5-1(i)(3). As  
14 the Civil Local Rules provide, copies of the signature pages have been scanned and  
15 attached. N.D. Cal. L.R. 5-1(i)(3).

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18 Dated: Dec. 4, 2017 Respectfully submitted,

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21 MARTA DARBY  
22 Attorney for Plaintiff  
23 SIERRA CLUB  
24 2101 Webster St., Suite 1300  
25 Oakland, CA 94612  
26 Telephone: (415) 977-5779  
27 Fax: (510) 208-3140  
28 marta.darby@sierraclub.org


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2  
3 Dated: \_\_\_Dec. 4\_\_\_, 2017

/s/ David Pereda

4 DAVID PEREDA  
5 Assistant United States Attorney  
6 Attorney for Federal Defendants  
7 1301 Clay Street, Suite 340S  
8 Oakland, CA 94612  
9 Telephone: (510) 637-3701  
10 Fax: (510) 637-3724  
11 David.Pereda@usdoj.gov

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15 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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17 Dated: 12/5/17

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19 KANDIS A. WESTMORE  
20 United States Magistrate Judge  
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